

REMARKS

This Amendment is in response to the Office Action dated September 30, 2005. Claims 1-22 were examined in the Office Action. Claims 1-22 were rejected. Claims 10 and 13 were previously cancelled. Independent claims 1, 16, and 20 have been amended. Examination and reconsideration based on this Amendment and the following remarks are respectfully requested.

Claim Rejections - 35 U.S.C. § 103

Claims 1-22 were rejected under 35 U.S.C. 103(a) as being unpatentable over Thomas et al., U.S. Publication No. 2002/0059627A1, (hereinafter Thomas), and Krebs, U.S. Patent No. 5,557,320 (hereinafter Krebs). Independent claims 1, 16 and 20 have been amended. Applicants respectfully submit that Thomas in view of Krebs does not teach or suggest each and every feature recited in Applicants' amended independent claims 1, 16 and claim 20.

Claim 1

Applicant's claimed invention as recited in amended claim 1 is drawn to a media distribution device for selectively delivering media content to a media presentation device. The media distribution device comprises, among other features, (1) a local account manager operative to modify the identification of the portion of the full stream of media content for delivery of the portion to the media presentation device without modification to the full stream of media content received from the media delivery service provider at the media adapter. The local account manager provides a customer access to media content that is part of an account of the customer and blocks access to media content that is not part of the account when the full stream of media includes the media content that is not part of the account. Thus, the local account manager allows the media presentation device to receive instantaneous delivery of only the portion that is part of the account without requiring interaction with a central customer account management center.

In contrast, Thomas describes systems and methods for providing storage of data on servers in an on-demand media delivery system. However, Thomas discloses that media content delivered to the presentation device is the same as the media content received at the distribution device, for example a set top box. (See Thomas, pages 3-4 paragraph 55, page 4, paragraph 56). The Office Action acknowledges that Thomas does not disclose in detail a local account manager for modifying the local account data module (See Office Action page 2, last paragraph), but relies on Krebs to remove the deficiencies of Thomas. Krebs discloses a video mail delivery

system over which a managing network provider has absolute control. One example of a managing network provider is a cable company. (See Krebs, column 4, line 44-45). The Office Action cites column 6, lines 39-62 of Krebs in support of stating that Krebs discloses "a local account manager for modifying the local account data module". The cited segment of Krebs discloses a video gateway 25 directly controlled by an operator of the network provider local office POP 16. (See Krebs, column 6, line 39-40).

Applicants' respectfully submit that the local office of the network provider and the operator of the network provider, disclosed in Krebs, does not modify the identification of the portion of media content for delivery of the portion to the media presentation device without modification to the full stream of media content received from the media delivery service provider at the media adapter as recited in amended claim 1. The network provider can only manipulate video transmission but not the contents of the video, just as a post office does not manipulate the contents of a letter. Thus, the media content received at a location as disclosed in Krebs is the media content delivered and made available to the recipient. (See Krebs, col. 4 lines 50-55 and col. 6, lines 39-62).

Neither Thomas nor Krebs alone or in combination disclose or suggest blocking access to media content that is not part of the account when the full stream of media includes the media content that is not part of the account as recited in claim 1. (See Thomas, para. 48 and 49 and Krebs, column 6, lines 39-62). In fact the Office Action acknowledges that the media content only changes in format not content before it reaches the display or media presentation device. Applicants concur that all of the content sent reaches the display contrary to amended claim 1 where some content is blocked from reaching or being made available to the display. (See Office Action, page 7, para. 23). Thus, Krebs does not disclose a local account manager that provides a customer access to media content that is part of an account of the customer and blocks access to media content that is not part of the account wherein the media content received includes media content that is not part of the account.

Additionally, each scenario disclosed in Krebs requires interaction and modification at the network provider. Regardless of where the managing network provider is located, the managing network provider is still in control of what is delivered to the user equipment, including presentation devices (See Krebs, Fig. 4 and Fig. 5 with accompanying text and column

4, lines 43-45). Thus, Krebs does not overcome the deficiencies of Thomas. In fact by disclosing full control of the video gate by the network provider, Krebs teaches away from a combination where a recipient controls what is delivered to the presentation device or user equipment without modifying what is received at the user equipment from the media provider. Thus Krebs does not disclose or suggest allowing the media presentation device to receive instantaneous delivery of only the portion that is part of the account without requiring interaction with a central customer account management center as recited in claim 1. Therefore, because both Thomas and Krebs are deficient in disclosing a local account manager as recited in Applicants' claim 1, neither Thomas nor Krebs alone, or in combination teach or suggest Applicants' amended claim 1. Thus, amended claim 1 is allowable over Thomas in view of Krebs.

Claim 16

Applicant's claimed invention as recited in amended claim 16 is drawn to a media distribution system operative to selectively deliver media content to a media presentation device. The media distribution system comprising, among other features, (1) a local account manager, local to the media distribution device, for modifying the portion of the media content stream identified in a local account data module. The media distribution device delivers to the media presentation device the portion of the media content stream modified by the local account manager and identified by the local account data module without any immediate changes to the media content stream received at the media distribution device from the media delivery service provider thereby allowing the customer to receive instantaneous delivery of only the portion that is part of the local account without requiring interaction with the central customer account database.

As stated above, with respect to amended claim 1, because both Thomas and Krebs are deficient in disclosing a local account manager local to a media distribution device, where the media distribution device delivers to a media presentation device only the portion of the media content stream modified by the local account manager and identified by the local account data module without any immediate changes to the media content stream received at the media distribution device from the media delivery service provider. Krebs does not filter the content from reaching the display as acknowledged in the Office Action on page 7, para. 23. Thus,

neither Thomas nor Krebs alone, or in combination teach or suggest Applicants' amended claim 16. Amended claim 16 is allowable over Thomas in view of Krebs.

Claim 20

Applicant's claimed invention as recited in claim 20 is drawn to a method for filtering a media content stream in accordance with subscriber preferences. The method comprises, among other acts, (1) locally blocking a portion of the media content stream not defined by the local account data module from the media presentation device without any immediate changes to the media content stream received from the media delivery service provider thus, allowing the customer to receive instantaneous delivery of only the portion that is part of the local account without requiring interaction with the central customer account database

As stated above, with respect to amended claim 1, because both Thomas and Krebs are deficient in disclosing a local account manager local to a media distribution device, where the media distribution device blocks from a media presentation device the portion of the media content stream not identified by the local account data module without any immediate changes to the media content stream transmitted by the media delivery service provider. This allows the customer to receive instantaneous delivery of only the portion that is part of the local account without requiring interaction with the central customer account database.

As discussed above, even the Office Action acknowledges that all of the content sent reaches the display. Thus, neither Thomas nor Krebs alone, or in combination teach or suggest Applicants' amended claim 20. Thus, amended claim 20 is allowable over Thomas in view of Krebs.

Dependent Claims

At least because the recitation of claims 2-9, 11-12, 14-15, 17-19, and 21-23 are not taught by Thomas or Krebs alone, or in combination, and claims 2-9, 11-12, 14-15, 17-19, and 21-23 incorporate the features of allowable independent claims, claims 2-9, 11-12, 14-15, 17-19, and 21-23 are also allowable over Thomas in view of Krebs.

CONCLUSION

In view of the above amendments and remarks, Applicants respectfully request a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution

of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(404) 954-5100



Date: December 30, 2005

Murrell W. Blackburn
Reg. No. 50,881

